



The Commonwealth of Massachusetts

Office of Campaign & Political Finance

One Ashburton Place, Boston 02108

727-8352

Dennis J. Duffin
Director

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AO-1985-09

Mr. Michael D. Ernst
Senior Research Analyst
Committee on Energy
State House
Room 540
Boston, MA 02133

Dear Mr. Ernst:

This is in response to your recent request for an advisory opinion concerning the application of M.G.L. c. 55, the campaign finance law, to certain activities. Specifically, you have inquired as to whether the campaign finance law would permit you to engage in fundraising activities on behalf of the International Physicians for the Prevention of Nuclear War and Oxfam America.

You are the Senior Research Analyst for the Joint Legislative Committee on Energy. As such, you are a person "employed for compensation" by the commonwealth. Section 13 of chapter 55 provides that, "No person employed for compensation, other than an elected officer, by the commonwealth or any county, city or town shall directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever, but this section shall not prevent such persons from being members of political organizations or committees."

Therefore, persons such as yourself may not, directly or indirectly, solicit or receive anything of value for the political campaign purpose of any candidate for public office or of any political committee, or for any political purpose whatever. [emphasis supplied] Since the organizations in question are clearly not candidates for public office, nor political committees, as that term is used in C. 55, the issue presented is whether they are "political." In seeking to determine the meaning of that term, the definition provided by Blacks' Law Dictionary can serve as guidance. Political is that which is,

"Pertaining or relating to the policy or the administration of government, State or national ... relating to the management of

affairs of state, as political theories; of or pertaining to exercise of rights and privileges or the influence by which individuals of a State seek to determine or control its public policy."

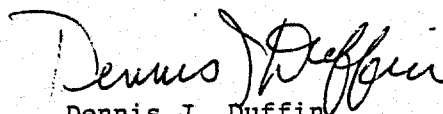
You have submitted materials which appear to describe the nature and activities of International Physicians for the Prevention of Nuclear War (IPPNW) and Oxfam America. According to its brochure IPPNW is a "federation of national groups dedicated to mobilizing the influence of the medical profession against the threat of nuclear weapons." While it appears to focus some of its attention on research and education, it clearly expends its resources to communicate with high government officials in an attempt to influence the policies of these governments in the area of nuclear war and the nuclear arms race. In my opinion, the activities of IPPNW are greatly concerned with influencing the public policy of government on this controversial issue. I therefore believe that the work of IPPNW is political in nature. The prohibition contained in Section 13 on your fundraising would be applicable to your work on behalf of IPPNW.

Oxfam America is a "non-profit, international agency that funds self-help development projects and disaster relief in poor countries in Africa, Asia, and Latin America, and also prepares and distributes educational materials for Americans on issues of development and hunger." Based on the materials you have provided, it is my opinion that the activities of Oxfam America are not political, but are more humanitarian in nature. Therefore, the prohibition contained in Section 13 on your fundraising would not be applicable to your work on behalf of Oxfam America.

In conclusion, the campaign finance law prohibits you from soliciting or receiving anything of value, directly or indirectly, in behalf of International Physicians for the Prevention of Nuclear War. You may, however, be a member of that political organization as long as you are not involved in fundraising activities. The campaign finance law does not prohibit you from engaging in fundraising activities on behalf of Oxfam America.

This opinion has been rendered solely on the basis of materials and facts presented by you. No independent investigation of these organizations has been conducted.

Very truly yours,


Dennis J. Duffin
Director

DJD/mam